

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION

Case No. 07-MD-1902 (JSR)

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This Document Relates to:

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KENNETH M. KRYIS, et al.,

Plaintiffs, :

Case No. 08-CV-3065 (JSR)

Case No. 08-CV-3086 (JSR)

-against-

CHRISTOPHER SUGRUE, et al.,

Defendants. :

ORAL ARGUMENT
REQUESTED

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**PRICEWATERHOUSECOOPERS LLP'S NOTICE OF MOTION TO STRIKE
EXPERT OPINIONS RELATING TO DISMISSED CLAIMS**

PLEASE TAKE NOTICE that, upon the Memorandum of Law of defendant PricewaterhouseCoopers LLP ("PwC") in Support of its Motion to Strike Expert Opinions Relating to Dismissed Claims, the Appendix thereto, and the Declaration of James J. Capra, Jr., dated August 7, 2012 (with attached exhibits), and at a time and location to be determined, PwC will move this Court for an order striking the opinions and corresponding parts of the reports of two of plaintiffs' experts—R. David Wallace and I. Michael Greenberger—that address PwC's liability on claims that have been dismissed with prejudice. Specifically, PwC requests this Court issue an order striking the opinions set forth in the Wallace Report at ¶¶ 4 (point 12), 14 (bullets 7, 8 and 10), 17, 123, 352-355, 363-368, 429-435 (and the September 6, 2011 Wallace Affidavit, incorporated by reference) and the Greenberger Report at ¶¶ 58, 59, 134-136, 138, 179, and any other opinions relating to claims against PwC that have been dismissed with prejudice, and granting such other and further relief as the Court deems just and proper. Unless

the Special Master provides otherwise, Plaintiffs' answering papers shall be due on August 24, 2012 and PwC's reply papers in support of the motion shall be due on September 5, 2012.

Dated: New York, New York
August 7, 2012

Respectfully submitted,

KING & SPALDING LLP

By: /s/ James J. Capra, Jr.
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